IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.5082 OF 2005

Prakash Dinkar Tapkire and others)..Petitioners

Versus

Smt.Suman Vinayak Chandorkar and others)..Respondents

Mr.G.S.Godbole for the Petitioners,

CORAM: SMT.NISHITA MHATRE, J.

DATED: 8TH AUGUST 2005

P.C.:

. The Petitioner challenges the order passed on 22nd June 2005 permitting Plaintiff No.3 to examine himself. The contention is that since the power of attorney holder had already deposed in favour of all the Plaintiffs, there was no need for Plaintiff No.3 to be examined.

2. The trial Court has rightly rejected the application filed by the Petitioner. It is Plaintiff No.3 who claims the suit premises for business. The evidence of the Defendant has not been commenced as yet. I see no reason to interfere with the impugned order. Hence. rejected.